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Promotion and protection of human rights: human rights questions, including alternative approaches to improving the effective enjoyment of human rights and fundamental freedoms

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity**

Report of the Secretary-General

Summary

The present report is a compilation of the responses to the note verbale dated 17 May 2017 from the Office of the United Nations High Commissioner for Human Rights, which was sent to Member States and intergovernmental and non-governmental organizations pursuant to General Assembly resolution 70/150. Responses were received from the Governments of Brazil, Iraq and Qatar. They are reproduced in the report as received. The report takes into account the opportunity that the 2030 Agenda for Sustainable Development provides and the efforts by the United Nations system to advance the realization of the Sustainable Development Goals. It also considers the third cycle of the universal periodic review by the Human Rights Council as an opportunity to strengthen the engagement with all States on the follow-up and implementation of the outcomes from all international human rights mechanisms by engaging more closely with Member States in providing country-specific technical assistance and capacity-building efforts.

* A/72/150.

** The present report was submitted after the deadline in order to reflect the most recent developments.

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I. Introduction

1. In its resolution 70/150, the General Assembly requested the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

2. In accordance with the resolution, OHCHR sent a note verbale dated 17 May 2017, inviting Member States and intergovernmental and non-governmental organizations to present practical proposals and ideas.

3. Replies were received from the Governments of Brazil, Iraq and Qatar, which are reproduced below as received. The report contains a reflection on the OHCHR experience in the context of international cooperation on human rights and highlights a new momentum for constructive and cooperative engagement between the United Nations system and Member States.

II. A new momentum for constructive and cooperative engagement

4. International cooperation and the sharing of practices are essential to the efforts undertaken by States towards the advancement of the enjoyment of human rights. One of the main objectives of the Human Rights Council and its universal period review mechanism is to strengthen the national protection system through cooperative efforts and the sharing of best practices among States and other stakeholders.

5. By November 2016, all 193 Member States had been reviewed by the universal periodic review mechanism for the second time, and in May 2017, the third cycle started. The Secretary-General notes the continuing participation of States, through high-level delegations, in the third cycle review, as well as the increased number and improved quality of questions and recommendations in terms of substantive focus and detail.

6. The Secretary-General's renewed focus on the prevention of violent conflict and human rights violations and the United Nations system-wide determination to pursue the Sustainable Development Goals provide a new opportunity for engagement with States and relevant stakeholders to address the underlying human rights concerns globally and to make better use of the potential for capacity-building and technical cooperation from the United Nations system.

7. Each Sustainable Development Goal is closely intertwined with human rights. In effect, each of them seeks to realize human rights for all by leaving no one behind. In that regard, a human rights-based approach to the Goals helps to ensure a non-selective and impartial process based on participation, inclusiveness and transparent governance. This approach leads to a better identification of and focus on those left behind, addressing trends of rising inequalities and discrimination. It also leads to better synergies among the three core pillars of the United Nations: human rights, development and peace and security, presenting Member States with an opportunity to capitalize on the Sustainable Development Goals as a universally accepted commitment and valuable road map to guide development efforts in line with international human rights standards and norms.

8. This context has served as a catalyst for national implementation efforts and key entry point for the constructive engagement of the United Nations with Member States for the promotion and protection of human rights. The engagement of the Organization is based on a holistic and integrated approach, taking into account the

recommendations from all international human rights mechanisms. The recommendations and outcomes of these mechanisms represent a cross-section of the critical human rights gaps at the country level. The focus of the United Nations system on those gaps often has a preventive effect: the recommendations point to the areas that need strengthening in order to foster national and societal resilience and to create an environment conducive to addressing the root causes of human rights violations.

9. The increased focus on the follow-up and implementation of such recommendations provides the United Nations system with an opportunity to engage with Member States. Where applicable, the United Nations country teams can play a key role in the follow-up process at the national level. As such, there exists the potential for the United Nations system, led by resident coordinators, to engage with States in promoting and protecting human rights and achieving the Sustainable Development Goals.

10. The Secretary-General notes that Member States, with the support of the United Nations system, have increasingly adopted comprehensive, more efficient and sustainable approaches to reporting to the international human rights system and implementing recommendations, through the establishment of a new type of governmental structure, known as national mechanisms for reporting and follow-up. Such mechanisms facilitate the task of a State to cluster and prioritize all recommendations and to feed them into comprehensive national human rights action plans and recommendation implementation plans. Given that Member States usually plan over a period of four to five years, in line with the recommendations received, these mechanisms not only focus on implementation but also greatly facilitate the preparations of States for the next periodic reports to the treaty bodies and the universal periodic review and provide an opportunity for a dialogue with special procedures mandate holders. A benchmark of success is not only better and more comprehensive reporting but also the achievement of concrete results and changes in law and practice, improving human rights for all through the nationally owned and nationally led processes.

11. Clustering of recommendations from all human rights mechanisms can also facilitate their integration, where applicable, into the United Nations Development Assistance Frameworks, which are signed with Member States concerned, thus becoming part of the overall efforts of the United Nations at the national level to advance the 2030 Agenda for Sustainable Development. The main objective of this action by the United Nations is to operationalize the mainstreaming of human rights, through the planning and programming of individual United Nations country team members, in the United Nations Development Assistance Framework.

12. The Secretary-General stresses that a holistic approach to all human rights mechanisms' recommendations can result in a better alignment and complementarity of development and human rights efforts. It is essential that action in the areas of human rights, good governance and the rule of law, identified through clustered recommendations of human rights mechanisms, be increasingly supported through development assistance funds available in-country. In the context of the universal periodic review, some States, providing recommendations to their peers, have ensured that their development assistance to States that have undergone their respective reviews provides concrete support and follow-up to the implementation of the outcomes from those reviews. In that regard, the Organisation for Economic Cooperation and Development conducts periodic reviews through its Development Assistance Committee, which provides guidance to development cooperation entities on the effectiveness of their aid, and could be encouraged to include the consideration of human rights elements, especially when recipient countries are ready to undertake reforms in follow-up to recommendations from human rights mechanisms.

III. Key elements at the national level

13. The Secretary-General notes that States have the primary responsibility to promote and protect human rights and, as such, a strong political will is indispensable for their realization. United Nations action in the field of human rights through the promotion of international cooperation in a non-selective, impartial and objective manner necessitates a similar cooperative attitude and readiness to engage with each Member State. This cooperative approach centres on elements at the national level that will make international cooperation and multilateral and bilateral technical cooperation, as well as national efforts for the promotion and protection of human rights, more effective.

14. Some key elements of this uniform and objective approach, according to best practices known to OHCHR, include the setting-up or strengthening of national mechanisms for reporting and follow-up, national human rights institutions, comprehensive national human rights action plans or plans for the implementation of recommendations, and meaningful involvement and consultation of all relevant stakeholders.

A. National mechanisms for reporting and follow-up

15. States are faced with increasing requirements for implementing treaty obligations, reporting to the international and regional human rights systems and following up on the recommendations or decisions emanating from them. To meet those requirements, many States have increasingly adopted comprehensive, more efficient and sustainable approaches to reporting, engagement and follow-up through the establishment of a new type of governmental structure known as a national mechanism for reporting and follow-up. States have received recommendations to establish or strengthen a national mechanism for reporting and follow-up and have made public commitments in that regard. OHCHR, upon request, is working with some 30 States towards increasing their engagement with human rights mechanisms through such improved national coordination structures. A Group of Friends on the same issue comprises to date some 21 States (Angola, the Bahamas, Belgium, Botswana, Brazil, Colombia, Denmark, Ecuador, Fiji, Georgia, Mexico, Morocco, the Netherlands, Paraguay, Portugal, the Republic of Korea, Seychelles, Slovenia, Sweden, Timor-Leste and Tunisia).

16. In June 2016, OHCHR, with a view to promoting international cooperation in this area, launched a practical guide and an accompanying study on State practices of engagement with international human rights mechanisms. The guide seeks to identify key ingredients for a well-functioning and efficient national mechanism for reporting and follow-up, which is different from national human rights institutions. It does not propose a one-size-fits-all solution but rather draws on different State practices. The research underlying the guide and the study is based on input received from 23 Member States, with a closer focus on 8 case studies (the Bahamas, Cambodia, Mauritius, Mexico, Morocco, Portugal, the Republic of Korea and Senegal).

17. The guide and study define the national mechanism for reporting and follow-up as a permanent national governmental mechanism or structure mandated to: coordinate and prepare reports to and engage with international and regional human rights mechanisms, including treaty bodies, the universal periodic review and special procedure mandate holders; and coordinate and track national follow-up and implementation. It may be ministerial, interministerial or institutionally separate. The national mechanism for reporting and follow-up performs these functions in

coordination with ministries, specialized State bodies such as the national statistics office, parliament and the judiciary, and in consultation with the national human rights institution(s) and civil society.

18. The findings presented in the guide show that State engagement with all three international human rights mechanisms can be enhanced if some key conditions are in place. First, it is fundamental for such a mechanism to be a standing one, namely, its structure should be maintained beyond the completion of a single report. Second, an effective national mechanism may benefit from a comprehensive formal legislative or policy mandate, as well as a common intragovernmental understanding of its role and political ownership at the highest level. Third, the national mechanism should have dedicated, capacitated and continuous staff, building expertise, knowledge and professionalism at the country level.

19. As outlined in the guide, any governmental engagement with the international human rights mechanisms, regardless of the structure or processes chosen, should be guided by the enhancement of four key capacities:

(a) Engagement capacity: the capacity to engage and liaise with international and regional human rights bodies and organize and centrally facilitate the preparation of reports and responses to international and regional human rights mechanisms;

(b) Coordination capacity: the capacity and authority to disseminate information and to organize and coordinate information-gathering and data collection from government entities, the national statistics office, parliament and the judiciary, for reporting and follow-up to recommendations;

(c) Consultation capacity: the capacity to foster and lead consultations with national human rights institutions and civil society, which could take the form of a dedicated focal point liaising with other stakeholders, and regular consultations with different stakeholders;

(d) Information management capacity: the capacity to:

(i) Track the issuance of recommendations and decisions by the international and regional human rights mechanisms;

(ii) Systematically capture and thematically cluster them in a user-friendly spreadsheet or database;

(iii) Identify responsible government ministries and/or agencies for their implementation;

(iv) Develop follow-up plans, including timelines, with relevant ministries to facilitate such implementation;

(v) Manage information regarding the implementation of treaty provisions and recommendations.

20. National mechanisms for reporting and follow-up have the potential to become one of the key components of the national human rights protection system, bringing international and regional human rights norms and practices directly to the national level by establishing a national coordination structure. This may result in the building of professional human rights expertise in every State.

21. The Secretary-General notes that OHCHR provides expert advice and specific assistance on national mechanisms for reporting and follow-up, for example, through its treaty body capacity-building programme, established in 2015 pursuant to General Assembly resolution 68/268. In 2016, some 28 countries received assistance through the treaty body capacity-building programme relating to national mechanisms for reporting and follow-up.

22. On 9 November 2016, pursuant to Human Rights Council resolution 30/25, OHCHR organized the first Council intersessional panel discussion on promoting international cooperation to support national human rights follow-up systems and processes. The discussion was aimed at highlighting the main constituting elements of effective national follow-up systems and processes, identifying steps for their establishment, sharing experiences and identifying how such systems could guide States in seeking technical cooperation. During the discussions, the delegations emphasized the importance of the implementation of the recommendations of the international human rights mechanisms, the establishment of inclusive follow-up systems, and international cooperation to support such mechanisms (see A/HRC/34/24).

23. In the context of the panel discussion, OHCHR organized a series of interactive sessions, so-called knowledge cafés, on national human rights follow-up systems and processes. The sessions were aimed at:

(a) Enabling States and other stakeholders to share practices on the main constituting elements of national follow-up systems and processes in an informal environment;

(b) Learning in greater detail how OHCHR can support States in establishing or strengthening their follow-up systems and processes. The sessions were attended by more than 50 States and civil society representatives.

B. National human rights action plans

24. The Secretary-General notes that in the 1993 Vienna Declaration and Programme of Action, each State was encouraged to consider the desirability of drawing up a national action plan identifying steps whereby it would improve the promotion and protection of human rights. More than 39 States have since developed national human rights action plans, partly as a result of the recommendations from the universal periodic review.

25. A national human rights action plan offers a structured and practical approach towards strengthened human rights realization by placing human rights improvements, as practical goals, in the context of public policy. The development of a national human rights action plan is a national undertaking, and the quality of the process towards its development ultimately determines the political support for the plan, the recognition and buy-in by the public and civil society, as well as the effectiveness of the monitoring of its implementation. The same can be said for the development and implementation of any other national action plan, including on the Sustainable Development Goals.

26. Consultations for the development of a national human rights action plan should be broad, including government at all levels, national human rights institutions, civil society, grass-roots organizations, the general public and the private sector. These broad consultations feed into a comprehensive baseline study that in turn informs the areas of focus of the plan and the concrete actions formulated for its implementation. In addition to these national consultations, a baseline study may also draw upon the concerns and recommendations as expressed by the human rights mechanisms, including the treaty bodies, special procedures and the universal periodic review.

27. A national human rights action plan should link with and can reinforce national development plans, poverty reduction strategies and other sectorial plans. Thus, it provides for a unique platform for coordination and operational joint work for all national stakeholders.

C. Recommendation implementation plans

28. National human rights action plans may not be the most suitable option for a State when it intends to follow up on the recommendations from human rights mechanisms in a holistic manner. States can use other tools, including recommendation implementation plans. Such plans thematically cluster all recommendations from the international human rights mechanisms, prioritize them, assign implementation responsibilities and indicate a time frame for implementation, as well as resources and indicators.

29. Clustered recommendations can easily be cross-linked to the Sustainable Development Goals to build synergies and linkages between the different follow-up and reporting for the Goals and human rights. They can also serve as useful tools for United Nations country teams, where applicable, to inform their common country assessment and United Nations Development Assistance Framework and interactions with Government counterparts.

30. Recommendation implementation plans are therefore fundamentally different from national human rights action plans in terms of process, coverage (such plans focus on and contain only human rights mechanism recommendations), flexibility, timespan and format. The development of recommendation implementation plans could include some sort of consultations with stakeholders, in particular, civil society organizations, but ultimately, the scope of such consultations will not mirror the scope of those on the development of the national human rights action plans.

31. National mechanisms for reporting and follow-up would be best placed to establish such a recommendation implementation plan and coordinate its follow-up. OHCHR, through its treaty body capacity-building programme and the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review, provides technical assistance to States, in particular its national mechanisms for reporting and follow-up, to draw up such implementation plans.

D. National human rights institutions

32. Although the responsibility for follow-up to recommendations of international human rights mechanisms lies with the State, other stakeholders have a significant role to play in the promotion and advancement of their implementation. One such key national stakeholder is the national human rights institution. It can play an important role within the national human rights protection system, with its independent mandate and unique functions set out in the Paris Principles,[1] for the promotion and protection of human rights, for example, access to ministries, parliament, and other State bodies, and their network of contacts with civil society, including grass-roots human rights organizations. National human rights institutions fulfil an important bridging role between the international and national human rights protection systems.

33. During their universal periodic reviews, many States either received recommendations or were encouraged to follow up on the recommendations previously made to establish or further strengthen their national human rights institutions in full compliance with the Paris Principles and to involve and consult those institutions in all national processes relating to the universal periodic review. At the international level, national human rights institutions continue to be actively engaged with the universal periodic review, including through the submission of

[1] Available from https://www.un.org/ruleoflaw/files/PRINCI~5.PDF.

written information for the stakeholders summary report produced by OHCHR, and oral interventions at the adoption of the outcome of the review of their State by the Human Rights Council plenary. In preparation for the third cycle universal periodic review, OHCHR has elaborated new guidelines for submissions from stakeholders, including national human rights institutions. The guidelines are aimed at enhancing the provision of information on the implementation of recommendations from the previous reviews by the State concerned.

34. On 27 February 2017, OHCHR signed a memorandum of intent with the United Nations Development Programme (UNDP) Administrator and the Chair of the Global Alliance of National Human Rights Institutions in order to take current cooperative endeavours and regional and national partnerships to a higher level and to promote and share best international practices among all Member States.

E. Parliaments

35. At the national level, Parliaments play a crucial role in the promotion and protection of human rights as legislators and as overseers. They lay the foundation for the rule of law and the respect for and protection of human rights at the national level. Parliaments can ensure transparency and accountability for States' human rights obligations and in following up and ensuring the implementation of recommendations by regional and international human rights mechanisms. While human rights are a cross-cutting issue that should be taken into account by all parliamentary committees, the establishment of a parliamentary committee with an exclusive human rights mandate sends a strong political message and should be encouraged. The Inter-Parliamentary Union (IPU) and OHCHR have organized joint initiatives on the role of parliamentarians and their engagement within the Human Rights Council, outlining opportunities for and challenges to enhanced cooperation between parliaments and the universal period review process.

36. The Secretary-General encourages a more proactive engagement of parliamentarians in the work of international human rights mechanisms, including through the development of a set of principles and guidelines that would assist and guide them.

37. Parliaments are uniquely positioned to contribute to closing the implementation gap, to prevent violations of human rights and to ensure better protection, especially of vulnerable groups, by ensuring the implementation of human rights recommendations. It may be noted that within the context of the universal periodic review, some 60 to 70 per cent of recommendations require or involve parliamentary action.

IV. Technical cooperation

38. United Nations action in the field of human rights through the promotion of international cooperation is best exemplified through its technical cooperation programme and activities. Effective technical cooperation at the request of the State concerned should reflect national priorities and commitments, a key component for ownership and sustainability of the efforts and results. This cooperative approach results in the building of trust, a necessary condition in addressing knowledge, capacity and commitment gaps. States are also in an excellent position to provide technical cooperation in the field of human rights, including innovative South-South cooperation in many areas and regions, an area that has grown over the past five years. One important step in that direction is to further document and share lessons

learned from technical cooperation experiences, for instance with respect to national mechanisms for reporting and follow-up or national human rights action plans.

39. The delivery of technical assistance by OHCHR is based on the principle and goal of a holistic implementation of recommendations of all international human rights mechanisms. Increased contributions to such OHCHR funds as the Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review are required and would allow OHCHR to effectively respond to requests for assistance by Member States.

40. Effective technical cooperation is one of the keys to the prevention of violent conflict and human rights violations. Effective technical cooperation also benefits from strong integration into the work of United Nations country teams, particularly in the context of the 2030 Agenda for Sustainable Development. In order for technical cooperation to have a long-lasting effect, it needs to be tailored; to reach out to all levels of society, including national human rights institutions, civil society and grass-roots organizations; and to reflect national priorities and commitments, including those made in the framework of the 2030 Agenda.

V. Examples of technical cooperation on human rights

A. Replies received from Governments

Brazil

41. Brazil appreciates the opportunity to present some ideas to contribute to the debate on strengthening United Nations action in the field of human rights. Preventing human rights violations should not be confused with the preventative activities in the fields of international peace and security. The efforts in respect of prevention of human rights violations should not be limited to the prevention of mass atrocities or the responsibility to protect, nor limited to early warning mechanisms of the Security Council.

42. Preventing human rights violations must be embedded in the United Nations system, as a permanent goal, for its intrinsic value. While the Human Rights Council and OHCHR have a crucial role to play, the United Nations system should be fully mobilized. To act preventatively against violations is not necessarily the same as preventing violations from occurring. Both aspects should be pursued hand in hand. Early warning initiatives as a means to prevent violations from escalating into open conflicts must take into account the need to constructively engage the States concerned. The Human Rights Council must always consider that such initiatives may have political ramifications at the domestic and international levels, which could represent a challenge for the effective engagement of the States concerned.

43. At the same time, if the Human Rights Council were to focus primarily on the provision of technical assistance and capacity-building as a means to prevent violations, it could lose sight of impending threats that require prompt and earnest action. In short, the Human Rights Council must take stock of the political circumstances that are intrinsic to each situation and seek to engage, in good faith, all relevant parties, in a permanent effort for genuine discussion.

44. The Human Rights Council should proactively make use of all available tools, based on the range of options contained in its institution-building package.

45. Pursuant to General Assembly resolution 70/150, the Human Rights Council is required to address situations of human rights violations, including gross and systematic violations. It is incumbent upon the Council to examine urgent and grave situations in order to protect the human rights of populations at risk, to prevent the escalation of violations and to contribute to efforts that foster a culture of peace, inclusiveness and human rights.

46. In performing its functions, the work of the Council should be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights. It should seek to avoid politicization and explore opportunities for dialogue.

47. Brazil recognizes the challenges faced by the Human Rights Council in fulfilling its mandate, under item 4 of the agenda. Brazil is convinced of the need to actively seek engagement with the country concerned, with a view to effecting durable and sustainable solutions on the ground. Therefore, the treatment of country-specific situations will be more effective if the Council is able to foster a dialogue focused on an understanding of the concrete and structural benefits to be achieved at the local level as a result of the cooperation of the country concerned.

48. The Human Rights Council should be able to make full use of its toolbox to act diligently in urgent and grave situations. While recognizing that it may be necessary to bring specific cases to the attention of the international community, the Human Rights Council should also consider complementary measures to elicit the desired outcomes. Without the engagement of the country concerned, the Council has limited means to promote durable solutions.

49. Brazil values the role of OHCHR in providing advice and technical cooperation to countries and institutions, when requested. Cooperation should be prioritized as a tool for action when facing challenges and realities concerning human rights.

50. Brazil shares the view that local presence is of paramount importance in identifying, highlighting and developing, in coordination with the country concerned, responses to human rights challenges on the ground.

51. Effective technical cooperation should be demand-driven and reflect the national priorities and commitments of the States concerned, in order to create ownership and thereby enhance the implementation and sustainability of the activities.

52. The Human Rights Council should be able to engage the State concerned in a systematic exercise examining the broader institutional and normative context and challenges in order to identify and tackle not only short-term or high-profile issues, but also the underlying, structural cases of violations and abuses.

53. Brazil also values the role of OHCHR in supporting the follow-up to recommendations of human rights mechanisms, including the universal periodic review, as well as the mainstreaming of human rights in the United Nations system, specifically by availing itself of the existing mechanisms and tools, such as the 2030 Agenda for Sustainable Development.

Iraq

54. Iraq notes that resolutions submitted to the Human Rights Council or the Third Committee of the General Assembly concerning the situation of human rights in a particular country are contrary to the spirit of General Assembly resolution 70/150. Iraq affirms that the principle of non-selectivity, impartiality and objectivity is achieved through the comprehensive review of all countries of the world without bias.

55. With respect to the promotion of economic, social and cultural rights, Iraq notes that unilateral economic sanctions have negatively affected vulnerable groups in society, such as women, children, the elderly and people with special needs. Furthermore, they have led to an increase in unemployment and extreme poverty and harm the health and education system, as well as impede the achievement of the Goals of the 2030 Agenda for Sustainable Development.

Qatar

56. Qatar emphasizes that international cooperation in the field of human rights is the highest and most important field of cooperation between countries, as it embodies its values, which are aimed at protecting humanity itself, wherever human beings are found and without discrimination of any kind.

57. The desire of the majority of countries to respect the purposes enshrined in the Charter of the United Nations and the accession to and ratification by many countries of human rights conventions does not mean that international cooperation is always based on non-selectivity, impartiality and objectivity. Many international relations are based on principles derived from sovereignty, equality, balance of power and political and economic interests.

58. Reading the contemporary international reality, human rights are being politically exploited and distanced from their noble purposes and humanitarian goals in that they are used as a means to achieve political and economic interests: sometimes, human rights are invoked and, at other times, human rights violations are ignored for political or economic purposes. This undermines the principle of human rights based on equality and non-discrimination of any kind among human beings.

59. The Qatari National Human Rights Committee proposes to strengthen the United Nations human rights procedures in promoting international cooperation based on the principles of independence, impartiality and objectivity. It also believes that this matter is important and requires the necessary measures to be taken by the international community at three levels, first, at the level of the United Nations system itself, then at the level of international cooperation between States and, finally, in terms of institutional mechanisms for the protection of human rights, as follows.

At the level of the United Nations system

60. The provisions of the Charter of the United Nations should be revised in the light of Article 109 (1) and (2) to grant the General Assembly more powers relating to the maintenance of international peace and security in parallel with the powers conferred upon the Security Council in that regard, with the necessary controls for coordination and effective cooperation in order to avoid conflicts of competencies in this matter.

61. The possibility of reconsidering the membership of the Security Council by extending the number of Member States represented by the Council should be revisited in order to democratize the structure of the Council and hence positively impact the United Nations system and the contemporary international system as a whole.

62. The Qatari National Human Rights Committee sees that it is important to revisit the right to veto by the five permanent States, especially in decisions relevant to human rights, considering that human rights issues concern the international community as a whole and not only one country or a group of countries. If human rights are violated and the Security Council fails to respond through resolutions due to considerations relating to selectivity and subjectivity, this could put other States

at risk, since selectivity and subjectivity could lead to the creation of violent and revengeful thinking that may lead to terrorism that endangers the whole international community.

At the level of bilateral relations

63. The Qatari National Human Rights Committee sees an international cooperation based on non-selectivity, impartiality and objectivity through:

(a) Excluding countries that do not pursue non-selectivity, impartiality and objectivity policies relevant to human rights from the economic cooperation framework in the different domains;

(b) Promoting the various types of economic partnerships with countries committed to treating human rights issues with impartiality and objectivity;

(c) Coordination and cooperation between human rights official departments in countries on sharing of information with regard to human rights;

(d) International cooperation to provide the necessary support to the United Nations programmes relevant to human rights.

At the level of human rights mechanisms

(e) Promote and develop the capacity of treaty bodies and support effective cooperation and partnerships with non-governmental organizations in all issues relevant to human rights, particularly on the exchange of information;

(f) Improve and develop effective coordination between the United Nations mechanisms to promote and protect human rights;

(g) Share information on best practices in the context of the universal periodic review;

(h) Ensure all means of necessary protection for the United Nations agencies and their staff from the use of the right to veto by the permanent States in the Security Council;

(i) Provide further guarantees to ensure the impartiality, objectivity and integrity of international investigators;

(j) Put the necessary mechanisms in place to hold international investigators and committees accountable for their partiality and subjectivity while performing their duties.

B. National mechanism for reporting and follow-up

64. The following paragraphs contain illustrative examples of technical cooperation on human rights, in the light of the elements presented in sections II, III and IV of the report and submissions received, as well as examples from the reports referred to in the footnote below.[2]

[2] Annual report of the United Nations High Commissioner for Human Rights to the Human Rights Council (A/HRC/34/3), 13 January 2017; report of the Office of the United Nations High Commissioner for Human Rights on progress and challenges encountered in the main activities aimed at enhancing technical cooperation and capacity-building undertaken since the establishment of the Human Rights Council (A/HRC/35/20), 3 May 2017; report of the Office of the United Nations High Commissioner for Human Rights on the Operations of the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review (A/HRC/35/18), 13 April 2017; and report of the Chair of the Board of Trustees for the Voluntary Fund for Technical Cooperation in the Field of Human Rights (A/HRC/34/74), 19 January 2017.

65. In 2016, support was provided by OHCHR to Costa Rica to enable its Inter-Institutional Committee on Follow-Up to and Compliance with International Human Rights Obligations to define its working methods, analyse and cluster the recommendations received from human rights bodies and establish a mechanism to ensure the participation of civil society in that regard. OHCHR also provided support to the Governments of Argentina, Barbados, Botswana, the Central African Republic, Chile, Dominica, the Gambia, Jamaica, Kazakhstan, Kyrgyzstan, Panama, the Republic of the Congo, Saint Kitts and Nevis, Saint Vincent and the Grenadines and the former Yugoslav Republic of Macedonia in order to establish or strengthen their respective national mechanisms to report and follow-up on recommendations.

66. OHCHR supported the Government of Tajikistan in strengthening its national mechanism for reporting and follow-up, including by reviewing its regulations to expand the role of civil society. It also provided assistance in enhancing the mechanism's functions on monitoring and follow-up, in particular regarding the appointment of human rights focal points at the ministerial and municipal levels, launching and regularly updating the website of the commission on the implementation of international obligations in the field of human rights, and holding public consultations with civil society organizations. Furthermore, OHCHR advocacy has resulted in the Government developing a comprehensive national action plan (A/HRC/35/18, para. 25).

C. National human rights action plans

67. OHCHR has provided extensive assistance in the form of technical cooperation to States wishing to establish national human rights action plans. Its guidance is based on a comprehensive OHCHR manual on national human rights action plans, which has been used extensively by States and by OHCHR staff when providing technical cooperation. OHCHR will soon launch an updated version of the manual. In South-East Asia, for example, OHCHR contributed to the sharing of experiences among Indonesia, Malaysia and Thailand on the development of national human rights action plans, which also included a visit by officials of the Government of Malaysia to Thailand to learn from the experiences of Thailand in developing such a plan (A/HRC/35/20, paras. 52-53).

D. Recommendation implementation plans

68. In-country support was provided to the Government of Samoa, which led to the establishment of a national mechanism for reporting and follow-up through a Cabinet directive in October 2016. The OHCHR Regional Office for the Pacific provided technical support and facilitated a three-day induction retreat at which an integrated draft implementation plan for all recommendations received from human rights mechanisms was prepared. In order to support the functions of the national mechanism for reporting and follow-up, a United Nations Volunteer universal periodic review coordinator funded by the Voluntary Fund for Financial and Technical Assistance in the Implementation of the Universal Periodic Review, based in Samoa, designed an implementation monitoring and data-collection website application, obtaining funding for its development from UNDP and the Government of New Zealand (A/HRC/35/18, para. 22).

69. In the former Yugoslav Republic of Macedonia, OHCHR built the capacity of the national mechanism for reporting and follow-up to cluster and prioritize the recommendations of international human rights mechanisms and apply an integrated approach to the implementation of recommendations using the OHCHR human

rights indicators framework. As a result, the working group has developed a tool to cluster all the recommendations and started drafting an integrated implementation plan (ibid., para. 26).

E. Strengthening information management on implementation

70. In the Plurinational State of Bolivia, improvements were made to the national system known as SIPLUS, with the support of OHCHR. It is a system for following up, monitoring and gathering statistics on recommendations of international human rights mechanisms and was launched in December 2015. Furthermore, the database connects the actions to human rights indicators that were developed by the Ministry of Justice and the National Institute of Statistics. The new version of the system was officially launched on 6 December 2016 (ibid., para. 31).

F. Using human rights recommendations to strengthen United Nations Development Assistance Frameworks and national development plans in the Europe and Central Asia region

71. Over the past decade, OHCHR has significantly increased its involvement in United Nations Development Assistance Framework processes around the world, particularly in Europe and Central Asia. Impacts have been achieved through training on human rights-based approaches, active OHCHR participation in United Nations country team/United Nations Development Assistance Framework coordination structures, the provision of clustered recommendations from the United Nations human rights mechanisms, the analysis of national key human rights challenges and risks and OHCHR inputs to initial drafts. Additionally, in the Europe and Central Asia region, OHCHR has successfully supported the design and implementation of national human rights action plans, ensuring that they are synchronized with recommendations from all human rights mechanisms, especially from the universal periodic review and in line with the Sustainable Development Goals. Often, the indicators for the Goals can be lined up with the United Nations Development Assistance Framework indicators, pointing towards goals and challenges identified in the recommendations from the human rights mechanisms. In most cases, OHCHR support to United Nations Development Assistance Framework processes has been provided through field presences, including the Regional Office for Central Asia and human rights advisers to resident coordinators and the United Nations country teams. In addition, OHCHR Geneva has engaged with United Nations Development Assistance Framework processes in European and Central Asia countries as a non-resident entity of the United Nations system through engagement from Geneva or missions, thus even without an OHCHR presence on the ground (A/HRC/35/20, para. 55).

G. Implementing a human rights vision of development in Uganda

72. In 2013, the Government of Uganda launched Uganda Vision 2040, an overarching national planning framework that considers human rights a prerequisite for development. The National Planning Authority requested technical support from OHCHR for the effective integration of human rights into sector and district government development plans and, ultimately, into the second five-year National Development Plan. In that context, OHCHR provided technical cooperation in partnership with the German Agency for International Cooperation and with funding from Norway. In May 2014, with the support of OHCHR and the German Agency for International Cooperation, the National Planning Authority issued new planning

guidelines with a human rights-based approach. In order to strengthen the integration of human rights into plans and to identify and refine indicators, OHCHR launched a strategic training programme targeting planning officers, chief administrative officers and community development and population officers from 66 districts and 16 thematic sectors. The training was so well received that the National Planning Authority requested OHCHR to cover the remaining 46 districts, with UNDP funding (ibid., paras. 36-38).

H. National human rights institutions

73. Technical cooperation to establish and strengthen national human rights institutions that are constituted and operate in compliance with the Paris Principles continues to be a priority for OHCHR. Its assistance takes on multiple forms, and areas of cooperation range from supporting the drafting of legislation for the establishment of a national human rights institution, organizing national consultations on the Paris Principles with key stakeholders, including government, parliament and civil society, and sharing best practices among national human rights institutions on follow-up to recommendations from the United Nations human rights mechanism to capacity-building aimed at members and staff of national human rights institutions. In Iraq, for example, the human rights office of the United Nations Assistance Mission for Iraq and UNDP have carried out capacity-building activities for the national human rights institution's commissioners and staff, including the elaboration of a plan of action on capacity development for 2014 and 2015 (ibid., paras. 29 and 31).

I. Parliaments

74. In its resolution 30/14, the Human Rights Council decided to convene, at its thirty-second session, on the occasion of the tenth anniversary of the Council, a panel discussion to take stock of the contribution of parliaments to the work of the Council and the universal periodic review and identify ways to further enhance that contribution. The panel discussion was held on 22 June 2016. It brought together parliamentarians from Ecuador, Morocco and the Philippines, a representative of IPU and the legal adviser to the Joint Committee on Human Rights of the Parliament of the United Kingdom of Great Britain and Northern Ireland and was moderated by the Permanent Representative of Maldives to the United Nations. The panel was opened by OHCHR and the Secretary General of IPU. In the course of the panel discussion, many speakers reaffirmed the importance of the parliamentary involvement in the work of the Council and the universal periodic review in order to promote human rights (A/HRC/35/16, executive summary).

75. In addition, OHCHR, in cooperation with IPU, organized a series of regional seminars in Europe, Latin America, Africa and Asia to discuss good practices of parliamentary engagement in the universal periodic review process, a partnership that will hopefully be enhanced and deepened.

J. Role of regional organizations in technical cooperation in the field of human rights

76. Regional human rights arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments. Reports and findings of regional human rights bodies are likely to be consulted when Member States are undergoing

examination by international human rights mechanisms. Moreover, reference to the jurisprudence and other documentation of a regional human rights mechanism can strengthen the findings of the international human rights mechanisms. The United Nations system could also benefit from greater engagement with regional mechanisms in terms of adopting best practices that have emerged at the regional level.

77. In its resolutions 6/20, 12/15, 18/14 and 24/19, the Human Rights Council recognized the important role played by regional, subregional and interregional arrangements for the promotion and protection of human rights and requested OHCHR to hold international workshops to put forward concrete proposals on ways of strengthening cooperation between the United Nations and regional human rights mechanisms. OHCHR organized four such workshops, held in November 2008 (A/HRC/11/3), May 2010 (A/HRC/15/56), December 2012 (A/HRC/23/18) and October 2014 (A/HRC/28/31).

78. In September 2013, the United Nations High Commissioner for Human Rights and the Secretary-General of the Council of Europe signed a framework cooperation agreement on the reinforcement of cooperation between the two institutions. The agreement covers regular consultation and joint participation in activities, exchange of information and general cooperation. One of the aims of the agreement is to strengthen cooperation in the field, including in assisting Governments in the implementation of the recommendations of the United Nations and the Council of Europe human rights mechanisms. An additional cooperation agreement and a joint declaration were signed by OHCHR with the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and the Inter-American Commission on Human Rights, respectively, in 2014.

K. United Nations country teams and resident coordinators: increasingly important human rights partners for States, national human rights institutions and civil society

79. As outlined above, United Nations country teams, under the leadership of the resident coordinator, are well placed to assist the Government in advancing the promotion and protection of human rights and mainstreaming human rights and Sustainable Development Goals work in programme planning by individual United Nations country team members, in line with their mandate. For example, the OHCHR Regional Office for South America held a regional consultation with national universal periodic review advisers, United Nations coordination officials and resident coordinators to define regional strategies and methodologies aimed at implementing recommendations from the universal periodic review. A follow-up consultation with resident coordinators from six countries in the region was also supported.

80. In particular, UNDP provides policy advice, technical cooperation and capacity development in more than 100 countries in relation to the international human rights mechanisms. The technical cooperation activities span from the dissemination of basic information on the universal periodic review process to concrete support to the implementation of recommendations. Substantial UNDP efforts in the Europe and Central Asia region, for example, have been dedicated to ensure broader participation of civil society and national human rights institutions in the universal periodic review process, including in human rights assessments (for example, Georgia), the preparation of reports (for example, Bosnia and Herzegovina) and follow-up on the implementation of recommendations from the universal periodic review (for example, Kyrgyzstan). Individual country teams and agencies are already actively engaged in national programming and assistance that are based on and integrate human rights and recommendations from international

human rights mechanisms. It is important that this be systematized further, so that country teams can support States in an integrated and holistic manner and interact with the international human rights system in a coordinated fashion, under the leadership of the resident coordinators and with methodological guidance and support from OHCHR (A/HRC/35/20, para. 63).

VI. Conclusions

81. **The 2030 Agenda for Sustainable Development marks a paradigm shift towards a more balanced development model with human rights at its core. As the Human Rights Council universal periodic review enters a new cycle, with every United Nations Member State now up for a third round of detailed scrutiny, the relevance, precision and impact of its recommendations will be strengthened, including through stronger tie-ins with United Nations country teams. The OHCHR Universal Human Rights Index database will link all findings and recommendations by all international human rights mechanisms with the Sustainable Development Goals, making it easier to integrate these prevention benchmarks into planning at the country level. The development by OHCHR of human rights indicators will also help the United Nations to better support States, in the same manner, in monitoring their progress towards the fulfilment of the Sustainable Development Goals and the 2030 Agenda.**

82. **The United Nations supports national efforts to increase State and civil society resilience and to build up regional and national early warning capacities to identify risk factors and respond to them. Numerous States have established and/or strengthened their national mechanism for reporting and follow-up for comprehensive human rights reporting and implementation of recommendations, which enables better alignment of development and human rights efforts.**

83. **The success of States in their efforts to promote and protect human rights, with the support of the United Nations, will undoubtedly depend on national mechanisms for reporting and follow-up being in place to deal with the tasks of implementation of recommendations and reporting on these efforts and the impacts achieved in close cooperation and consultation with national stakeholders. Such mechanisms will also facilitate the task of the State to draw up comprehensive national human rights action plans and recommendation implementation plans.**

84. **International cooperation, including through human rights mechanisms and their recommendations, provides an important basis for States to achieve greater results in both the implementation of the Sustainable Development Goals and human rights protection at the country level. Technical assistance in the field of human rights should be based on such recommendations and be provided in closer cooperation and partnership with Member States, regional human rights mechanisms, national human rights institutions, non-governmental organizations and the wider United Nations system.**

85. **International and national efforts and action in the field of human rights should therefore be geared towards assisting States in effectively achieving the Sustainable Development Goals and in implementing the recommendations of international human rights mechanisms. These efforts and action should be taken in the full recognition that the human rights pillar of the Charter of the United Nations is key to the success and sustainability of the development, peace and security pillars of the United Nations.**